

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

**AVIDYNE CORPORATION,**  
*a Delaware corporation,*

**Plaintiff/Counter-Defendant,**

**v.**

**L-3 COMMUNICATIONS AVIONICS  
SYSTEMS, INC., f/k/a/ B.F. GOODRICH  
AVIONICS SYSTEMS, INC.,**  
*a Delaware corporation,*

**Defendant/Counter-Plaintiff**

**Civil Action No. 05-11098 GAO**

**ASSENTED TO MOTION TO MODIFY THE  
SCHEDULING ORDER OF DECEMBER 18, 2009**

Defendant, L-3 Communications Avionics Systems, Inc. ("L-3 Avionics"), with the assent of Plaintiff, Avidyne Corporation ("Avidyne"), respectfully requests modification of the existing scheduling order, entered December 18, 2009. In support of this motion, the parties state as follows:

1. Counsel for the parties request a sixty (60) day extension of the expert and discovery deadlines, due to scheduling difficulties with L-3 Avionics's expert, counsel's trial schedules, and ongoing discovery demands in this action;
2. The parties have been actively pursuing the discovery, including depositions and document requests of the parties and non-parties, but certain scheduling issues will prevent the parties from meeting the deadlines set in the Court's Order of December 18, 2009.
3. Accordingly, the parties jointly request an extension of the schedule to facilitate the complete and orderly preparation of this case, as follows:

June 18, 2010 Initial Expert Disclosures\*

July 16, 2010 Rebuttal Expert Reports

August 20, 2010 Close of Fact Discovery

September 17, 2010 Close of Expert Discovery

\*L-3 Avionics' initial expert report will be on the issues of infringement and damages, and Avidyne's initial report will be on the issue of invalidity.

4. This brief extension to the schedule is jointly sought and will not prejudice either party.

WHEREFORE, L-3 Avionics with the concurrence and assent of Avidyne respectfully asks that the December 18, 2009 Order be modified to reflect the dates outlined above in paragraph 3.

Assented to by,

AVIDYNE CORPORATION

By its Attorneys,

/s/ William A. Scofield, Jr.

William A. Scofield, Jr. (BBO #448940)  
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Respectfully submitted by,

L-3 COMMUNICATIONS AVIONICS  
COMMUNICATIONS, INC.

By its Attorneys,

/s/ Kathleen K. Kelley

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And

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March 30, 2010

**CERTIFICATE OF COMPLIANCE WITH L.R. 7.1(A)(2)**

I hereby certify that, on March 26, 29 and 30, 2010, counsel for L-3 Avionics has conferred with counsel for Avidyne, William Scofield, who has assented to this Motion.

/s/ Kathleen K. Kelley

Kathleen K. Kelley

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true copy of this document was served on Plaintiff's attorneys of record by electronic delivery on this 30th day of March, 2010.

/s/ Kathleen K. Kelley

Kathleen K. Kelley